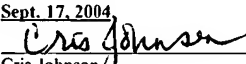


Docket No.: 066821-0267



**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant	: Reed, John C., et al.	Customer No.:	41552
Appl. No.	: 10/766,682	Confirmation No.:	2878
Filed	: January 27, 2004	<b>CERTIFICATE OF MAILING BY EXPRESS MAIL(37 CFR § 1.10)</b>	
Title	: CARD3X-2 POLYPEPTIDES, ENCODING NUCLEIC ACIDS, AND METHODS OF USE	"Express Mail" Mailing Label Number EV 540268125 US	
		I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR § 1.10 on the date indicated above and is addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on	
Grp./A.U.	: 1634	<u>Sept. 17, 2004</u>	
Examiner:	: To Be Assigned	 Cris Johnson	

**RESPONSE TO NOTICE  
OF MISSING PARTS OF APPLICATION**

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Notice of Missing Parts of Application dated March 23, 2004,  
submitted herewith are the following documents for filing in the above-referenced application:

1. Copy of the Notice to File Missing Parts
2. Declaration (which is in compliance with 37 CFR 1.63)
3. Statutory Basic filing fee of \$385.00
4. Late Filing Fee Surcharge of \$65.00
5. Additional claims fee of \$61.00
6. Petition for extension of time \$1,480.00

A verified Statement to establish small entity status under 37 CFR 1.9 and 37 CFR 1.27  
was filed in prior application Serial No. 09/864,921, filed March 23, 2001, and such status is still  
proper and desired.

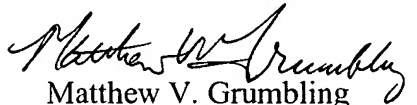
10/766,682

Please charge Deposit Account No. 502624 in the amount of \$1,991.00. To the extent necessary, Applicants petition for an extension of time under 37 C.F.R. 1.136. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 502624 and please credit any excess fees to such deposit account.

It is requested that the official filing receipt now be issued.

Respectfully submitted,

MCDERMOTT WILL & EMERY LLP

A handwritten signature in black ink, appearing to read "Matthew V. Grumbling", is written over the printed name.

Matthew V. Grumbling  
Registration No. 44,427

4370 La Jolla Village Drive, Suite 700  
San Diego, CA 92122  
858.535.9001 MVG:cej  
Facsimile: 858.597.1585  
**Date: September 17, 2004**



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/766,682	01/27/2004	John C. Reed	66821-267

Cathryn Campbell  
McDERMOTT, WILL & EMERY  
Suite 700  
4370 La Jolla Village Drive  
San Diego, CA 92122



CONFIRMATION NO. 2878  
FORMALITIES LETTER



\*OC000000012164464\*

Date Mailed: 03/23/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

09/20/2004 JBALINAN 00000080 502624 10766682

01 FC:2001 385.00 DA  
02 FC:2051 65.00 DA  
03 FC:2201 43.00 DA  
04 FC:2202 18.00 DA

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

**Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of **\$122** as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

**SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is **\$1022** for a Large Entity

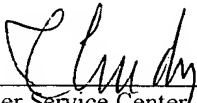
- **\$770** Statutory basic filing fee.
- **\$130** Late oath or declaration Surcharge.

- Total additional claim fee(s) for this application is \$122
  - \$86 for 1 independent claims over 3.
  - \$36 for 2 total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

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*A copy of this notice **MUST** be returned with the reply.*



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE